



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lauman et al.  
Appl. No.: 10/051,609  
Filed: January 17, 2002  
Title: MEDICAL FLUID HEATER USING RADIANT ENERGY  
Art Unit: 3763  
Conf. No.: 1135  
Examiner: M. Hayes  
Docket No.: DI-5764 (112713/146)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22312-1450

RECEIVED  
AUG 16 2004  
TECHNOLOGY CENTER 3700

**RESPONSE TO RESTRICTION/ELECTION REQUIREMENT**

Examiner:

Please enter the following Response in the above-identified patent application.

**REMARKS**

In response to the restriction/election requirement mailed on July 9, 2004, please enter the following Response. The restriction/election requirement requires Applicants to elect one of the following inventions under 35 U.S.C. § 121:

- I. Claims 1-7, 13, 18-22, 27-36, drawn to a device for heating a medical fluid including a radiant heater, secondary heater and controller, classified in class 604, subclass 114.
- II. Claims 8-12, drawn to a device for in-line heating including an infrared reflector, classified in class 604, subclass 113.
- III. Claims 14-17, drawn to a heating device of fluids flowing through a disposable cassette, where infrared transmissive material is disposed between the infrared emitter and a flexible membrane, classified in class 604, subclass 6.08.
- IV. Claims 23-26, drawn to a first and second heater to heat 2 liters dialysis fluid from 10-37 degrees C in 13 minutes, classified in class 604, subclass 29.